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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,291	02/24/2004	Jin-Yul Hu	P24969	2275

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EXAMINER

LEUNG, PHILIP H

ART UNIT PAPER NUMBER

3742

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary	Application No. 10/784,291	Applicant(s) HU ET AL.	
	Examiner Philip H Leung	Art Unit 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 01 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 11-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 13-21 are objected to because the limitation “bisecting the first oblong slot” does not have clear antecedent basis in the specification. By mathematical definition, “bisecting” usually means “dividing into equal parts”. However, in paragraph [0050] of the specification, it is only stated that “FIG. 8 illustrates the third embodiment one end of the second slot 222 is connected with a central portion of the first slot 221”. Furthermore, the argument that “support for the limitation is found in Figures 7-9” is not well taken, as Figures 8 and 9 do not show the division of the first slot into two equal parts. Moreover, this limitation (in the new claims 13-21) does not read on Figure 7 as it only shows a L-shape formation that clearly has no bisection. It is therefore suggested to change the limitation to “intersecting with a central portion of the first oblong slot” instead (see claims 11, 20 and 21). It is noted that this new limitation is only generic to Figures 8 and 9, but not Figure 7. Furthermore, claim 20 should be cancelled when the new limitation is adopted. Clarification and correction are requested.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claim 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Admitted Prior Art as shown in Figures 1-5 and described on pages 2-5 of the specification (hereinafter, APA), in view of Staats (US 4,313,044) (previously cited).

APA shows “a door assembly for a microwave oven comprising: a door frame 11 to open and close a cooking cavity 25; and a door filter 35 including a filter plate adhered to one side of the door frame, a choke portion 35a substantially perpendicular to the filter plate at an edge of the filter plate, a first slot 35b formed in a width direction of the choke portion”. Therefore APA shows every feature as claimed except for the use of a second slot formed in a length direction of the choke portion and mutually perpendicular to the first slot. Staats shows that it is well known in the art of microwave ovens with door chokes to form slots (35, 41, 50) having two slot segments (36, 37; 42, 43 and 51, 52). The slot 41 clearly includes two perpendicular segments (42, 43) that are the same as claimed. More particularly, Staats shows the use of slots with an elongated segment 42 and a rectangular segment 43 at the end of the first segment and perpendicular to the first segment (see Figures 1-3 and col. 3, line 63 – col. 5, line 38). It would have been obvious to one of ordinary skill in the art to modify APA to use a slot with two perpendicular slot segments to change the width ratio at the choke entrance for better microwave leakage prevention, in view of the teaching of Staats.

4. Claims 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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5. The new claims 13-21 would be allowed if the objection set forth in paragraph 1 above is overcome with the suggestion therein.

6. Applicant's arguments filed 11-1-2004 have been fully considered but they are not completely persuasive. The claimed structure in the rejected claims does not define over the combination of the Admitted Prior Art (APA) with Staats. As set forth above, APA clearly shows every feature and structure as claimed except for the use of a second slot perpendicular to the first slot. Staats shows the use of slots with an elongated segment 42 and a rectangular segment 43 at the end of the first segment and perpendicular to the first segment. Therefore, the claims directed to the embodiments to Figures 6 and 7 do not structurally define over Staats as it would have been obvious to modify APA to increase the width of the slot at the end of the slot in order to increase the microwave sealing effectiveness as taught by Staats at col. 5, lines 15-34. It is recognized that Staats does not teach the use of two perpendicular slots other than at the end of the first segment. Therefore, claims clearly drawn to the embodiments of Figures 8 and 9 (such as claims 11, 12, 20 and 21) are patentably defined over Staats and APA.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

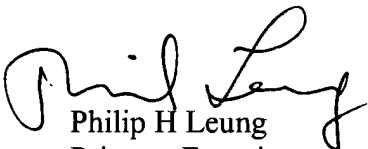
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip H Leung whose telephone number is (571) 272-4782.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (571) 272-4777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Philip H Leung
Primary Examiner
Art Unit 3742

P.Leung/pl
1-04-2005